

Message Text

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ORIGIN EA-06

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DRAFTED BY EA/TB:RASMITH:MGH

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PM/SAS:DWMCLINTOCK

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FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK PRIORITY

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STADIS//////////

LIMDIS

E.O. 11652: GDS

TAGS: MORG, TH

SUBJECT: TERMS OF REFERENCE, THAILAND

REFS: A. DOD DIRECTIVE 5105.47 OF 7/15/75, B. A-5052

1. DOD HAS REQUESTED CLEARANCE ON THE TERMS OF REFERENCE (TOR) FOR THE UNITED STATES SUPPORT AGENCY, THAILAND (USSAT). WE HAVE SOME PROBLEMS WITH THIS TOR, A COPY OF WHICH WILL BE ARRIVING IN BANGKOK FEBRUARY 23 FOR YOUR CONSIDERATION.

2. THE TOR PROVIDES THAT CHJUSMAGTHAI SERVE CONCURRENTLY AS CINCPACREP THAI, COMMANDER USSAT, AND UNITED STATES DEFENSE REPRESENTATIVE (USDR) IN THAILAND. HE WOULD BE THE SENIOR U.S. MILITARY COMMANDER IN THAILAND AND WOULD IN TURN BE SUBORDINATE TO CINCPAC. SINCE SECTION 12 OF PL 93-475, BASIC AUTHORITY FOR

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THE DEPARTMENT OF STATE, CONFIRMS THE AMBASSADOR'S

AUTHORITY OVER ALL U.S. GOVERNMENT PERSONNEL IN COUNTRY "EXCEPT PERSONNEL UNDER THE COMMAND OF A U.S. AREA MILITARY COMMANDER" (READ CINCPAC), WE ARE CONCERNED THAT THE TOR AND THE REFERENCED DOD DIRECTIVE ESTABLISHING THE USDR COULD BE INTERPRETED AS CREATING A CHAIN OF COMMAND FOR ALL U.S. FORCES IN THAILAND

WHICH LEGALLY EXCLUDES THE AMBASSADOR. DO YOU PERCEIVE OF ANY REASON WHY IT WOULD BE USEFUL TO HAVE, IN EFFECT, SUCH A SUB-UNIFIED U.S. MILITARY COMMAND FOR THAILAND RESPONSIBLE TO CINCPAC?

3. WE WOULD APPRECIATE YOUR COMMENTS.

4. REFERENCES WERE POUCHED TO YOU JANUARY 21. INGERSOLL

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